

REMARKS

Claims 1-3 are pending in this application. Claims 1 and 3 are independent. In light of the amendments and remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

By this Amendment, Applicant has amended claims 1 and 3 to more appropriately recite the present invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejection, but merely to timely advance prosecution of the present application.

In the outstanding Official Action, the Examiner rejected claims 1-3 under 35 U.S.C. § 102(e) as being anticipated by *Hamamura et al.* (U.S. Patent Application Publication No. 2003/0133021). Applicant respectfully traverses this rejection.

Claim Rejections - 35 U.S.C. § 102

By this Amendment, Applicant has amended claim 1 to recite, *inter alia*, a digital camera comprising an imaging device for imaging a subject and outputting an image signal representing a subject image obtained by the imaging and a distance measurement means for measuring the distance to the subject on the basis of the subject image obtained by the imaging. It is respectfully submitted that *Hamamura et al.* fails to anticipate claim 1, as amended.

It is respectfully submitted that the disclosure of *Hamamura et al.* is directed to a camera having improved image quality.

Specifically, in paragraph [0021], *Hamamura et al.* discloses as follows:

[0021] Rangefinder module 15 is a passive external light module comprising a pair of line sensors or the like for receiving light from a photographic subject. Rangefinder module 15 receives the light from a subject image via a pair of line sensors or the like in conjunction with a rangefinding instruction from MPU 21, and determines measurement data corresponding to the distance to a photographic subject from the amount of dislocation of the subject image between both the line sensors.

However, *Hamamura et al.* fails to teach or suggest a distance measurement means for measuring the distance to the subject on the basis of the subject image obtained by the imaging. As *Hamamura et al.* fails to teach or suggest all of the claim elements, it is respectfully submitted that *Hamamura et al.* fails to anticipate claim 1. As such, it is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claim 2 is allowable for the reasons set forth above with regard to claim 1 at least based upon its dependency on claim 1. It is further respectfully submitted that claim 3 contains elements similar to those discussed above with regard to claim 1, and thus claim 3 is not anticipated by *Hamamura et al.* for the reasons set forth above with regard to claim 1.

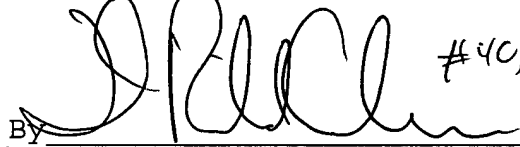
Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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